

Crawley 2040

Draft Crawley Borough Local Plan 2023 – 2040
May 2023

Written Statement on Matter 5

Gatwick Green Limited



GatwickGreen

WHERE THE FUTURE WORKS

Matter 5 – Gatwick Airport

Issues 2 – Policy GAT2 Safeguarded Land

Questions 5.17 - 5.19, 5.21 - 5.24, 5.26

Reference: 055

Savills on behalf of Gatwick Green Limited



1.0 Introduction

- 1.1 Gatwick Green Limited (GGL) owns about 47 ha (116 acres) of land, 44 ha of which is allocated as a Strategic Employment Location (SEL) known as Gatwick Green strategically situated to the south of the M23 spur road east of Gatwick Airport. A plan showing the extent of GGL's landholding and the allocated SEL is at **Appendix 1**.
- 1.2 Gatwick Green is not proposed for airport safeguarding under Policy GAT2. The rationale for the Council's decision is set out in Topic Paper 2 (Gatwick Airport).

2.0 Issue 2: Whether the approach to safeguarded land at Policy GAT2 is soundly based

Questions 5.17 and 5.18

The approach required by Policy and Law

- 2.1 National policy supports the principle of safeguarding land for critical infrastructure and leaves the justification for safeguarding and its extent to the local plan process. Thus safeguarding planning policy is a creature of the development plan. As such, the policy must be justified over the land on which it is sought. There is no assumption of permanency (unlike e.g. Green Belt policy), and no law or policy support for a precautionary-type approach (unlike e.g. decision-making with protected species or the use of buffer allowances for housing supply: see MIQ 5.18).
- 2.2 The Aviation Policy Framework (APF, 2013) and the National Planning Policy Framework (NPPF, 2023) provide relevant policy on what is needed to justify safeguarding. The APF states that airport master plans should be the basis for allowing the future development of airports to be considered in local planning processes¹, including safeguarding². Airport Master Plans should contain sufficient information and drawings³ to identify any additional land requirements. Under the NPPF⁴ safeguarding must be based on 'robust evidence' to identify any 'sites and routes that could be critical in developing infrastructure'. The APF emphasises the need to "minimise long-term uncertainty and non-statutory blight"⁵ (underlining added). Aviation 2050 is clear that safeguarding should be to meet "future national requirements"⁶.

¹ Paras 4.11-4.12

² Para B.1, B.5.

³ Para B4

⁴ Para 106 (c)

⁵ Para B.5.

⁶ Aviation 2050, paragraph 3.66.

- 2.3 In summary, policy is clear that (a) in principle, safeguarding is for “critical” infrastructure only; (b) uncertainty and blight must be minimised; (c) the Airport Masterplan is the key source of evidence, and (d) absent robust evidence for safeguarding, the safeguarding is unjustified.
- 2.4 The emerging Plan accepts the principle of safeguarding for the critical infrastructure of a southern runway. The continuation of a safeguarding policy is not in issue. The extent of safeguarding sought by Gatwick Airport Limited (GAL) is. GAL must justify the extent of safeguarding that it seeks, applying the policy framework explained above.
- 2.5 Since safeguarding inflicts a serious restriction on the owners’ rights to develop their land, it can only be justified where it is proportionate and in the public interest⁷. Any public interest claimed in favour of safeguarding a particular area of land must also be weighed with the public interest in alternative development which would otherwise come forward. For this reason, more robust justification will be required to safeguard land where there is a competing public interest in developing it.
- 2.6 In the present case, there is a clear, present public interest served by allocating the SEL, and delivering its benefits. The intention and ability to deliver Gatwick Green is demonstrated by evidence. In contrast, GAL has disavowed any current intention to develop a southern runway; there is no current policy support for it; and in any event, there is no apparent public interest in safeguarding the SEL for a possible future car park. In fact, GAL’s main justification for safeguarding the SEL for surface parking rather than using higher density parking technology is their *private* interest in seeking a greater financial return⁸. Private interests cannot justify safeguarding. A specific operator’s preference for surface parking is not a national requirement nor a matter of public interest.

GAL evidence takes safeguarded area as a given

- 2.7 The Gatwick Airport Master Plan⁹ (GAMP, 2019) does not set out to show that the Gatwick Green land is needed for infrastructure critical to the operation of a new southern runway. Instead, it simply takes the safeguarded area as a given and illustrates (as at 2019) how GAL would have proposed to use the Gatwick Green site were they to pursue a southern runway, which as they note in the GAMP they are no longer actively pursuing¹⁰. The safeguarded area in the GAMP is largely unchanged from what was shown in the previous Master Plans for Gatwick Airport dated 2012 and 2005. The 2005

⁷ As required by Article 1 of the First Protocol to the ECHR (the right to peaceful enjoyment of property)

⁸ ARUP June 2021 review, p3, second bullet point, attached to GAL’s June 2021 reps.

⁹ Gatwick Airport Master Plan, Gatwick Airport Limited, 2019

¹⁰ Paragraph 5.4.1

Master Plan adopted the area indicated in the 2003 Air Transport White Paper (ATWP)¹¹, with minor changes. Yet the ATWP made it clear that its map was “*only indicative, pending detailed design work and the submission of a planning application by the operator. The map should not therefore be taken to be a formal safeguarding map*”¹². The government in the ATWP left it to GAL to take steps to safeguard the land needed¹³.

- 2.8 It is worth noting that GAL itself in its DCO pre-application consultation documents describes the SEL as “More than Likely” to take place¹⁴.

Gatwick Green land not needed for on-airport parking

- 2.9 Even if additional surface parking as a land use were capable in principle of being “critical” on-site infrastructure, safeguarding of the entire SEL together with the large balance of remaining safeguarded land is not justified. The specialist aviation team at Mott MacDonald (MM) has thoroughly reviewed the GAMP 2019 and the Safeguarded Land (see Appendix 4 GGL’s Regulation 19 representation on Policy GAT2, hereafter referred to as ‘the MM Appendix’). The MM Appendix notes that Airport Master Plans are required to provide robust forecasts of passenger numbers and air transport movements (ATMs) and translate these into infrastructure requirements and the land needed to accommodate those (MM Appendix, para 9). To show what is needed for safeguarding the Master Plan should sensibly contain at least the following evaluation (MM Appendix, para 23):

1. An analysis of future demand and needs
2. An assessment of the design options for accommodating that demand and need
3. An evaluation of the options
4. An analysis to select the best option
5. An explanation of the basis for the option selected

- 2.10 The GAMP 2019 contains three plans relating to the proposed additional wide-spaced runway (Plans 20, 21 and 22). For long-stay car parking, these plans are unsupported by the above evaluation (MM Appendix, para 9). As explained above, GAL has taken forward the safeguarding area first identified in 2003, with some adjustments. Yet over the intervening two decades a number of critical temporal changes in modal shift and parking technology have occurred, and will continue into the future (MM Appendix, para

¹¹ The Future of Air Transport, Department of Transport, December 2003 (Air Transport White Paper – ATWP)

¹² ATWP, paragraph 11.83, page 127

¹³ ATWP, paragraph 11.83, page 127

¹⁴ Gatwick PEIR July 2021 PTAR Addendum Uncertainty Log

55). The changes to which MM refer are set out in detail at Section 4.4, 4.5 and 4.6 of the MM Appendix. The impact of these changes has not been assessed.

2.11 GAL has referenced another source of evidence to support the extent of safeguarded land for car parking. This evidence comprises GAL's "*Second Runway Operational Efficiency - Master Plan*"¹⁵ (OEMP) referenced by Arup in Appendix A5 to the GAL representations to the 2021 DCBLP (Appendix A5). MM has reviewed Arup's evidence and the OEMP and its findings are summarised below. MM found serious shortcomings with the evidence on the future parking requirement of 95,750 spaces to serve a future southern runway, none of which support safeguarding of the SEL:

- I. This document contains a table describing the number of car parking spaces proposed in the eastern zone, with no explanation of how the numbers had been derived (MM Appendix, para 44).
- II. MM has compared the stated car parking demand against the GAMP and the current DCO documents and found several inconsistencies in the approach, including both errors in the demand estimate and the available supply. Taking these into account demonstrates that the amount of additional car parking required to serve a southern wide-spaced runway is significantly less than assessed by GAL/Arup, i.e. 65,850 instead of 95,750 spaces.
- III. The existing 21,196 unauthorised off-airport parking spaces have not been taken into account in the assessment of future parking needs contained in the OEMP (MM Appendix, paras 83 and 141 (c)).
- IV. Evidence in the 2012 and 2019 airport Master Plans and the DCO EIA Scoping Report shows that the recent growth in car parking demand has been consistently met on-airport through a mixture of decking and multi-storey parking solutions on the site of existing surface car parks, with several such schemes cited in the GAMP (MM Appendix, paras 47-49 & 54).
- V. The amount of land necessary for car parking would therefore be far less than was assumed in 2003 and 2005 when the current safeguarding area was first conceived and would be far less than GAL has assumed in the GAMP.
- VI. The GAMP confirms that more intensified approaches to car parking will be pursued over the next 15 years (to 2034), including the use of machine assisted parking technology in the longer term (MM Appendix, para 50), but this is not

¹⁵ A Second Runway for Gatwick, Appendix A5, Operational Efficiency - Master Plan, Arup for Gatwick Airport Limited, May 2014

reflected in the southern runway plans. This is reinforced by MM's evidence on the industry trend towards car parking intensification (MM Appendix, paras 63-68)

VII. The more ambitious mode share shift targets contained in GAL's Airport Surface Access Strategy (ASAS) 2018 could not have been taken into account in the assessment of future parking requirements associated with the southern wide-spaced runway contained in the OEMP prepared 4 years earlier in 2014 (MM Appendix, paras 57-61).

2.12 The MM Appendix concludes that taking account of the above considerations, the future parking needs associated with a southern runway would be significantly less than the 95,750 spaces identified in the OEMP (MM Appendix, para 88).

2.13 Arup on behalf of GAL sought to assess the land required to accommodate future parking associated with a southern runway (Appendix A5). MM has highlighted several shortcomings in Arup's assessment that indicate that the residual safeguarding area after taking account of Gatwick Green is both larger and could accommodate more parking than assumed by Arup (MM Appendix, Sections 4.8, 4.9, 4.10 and 4.11).

2.14 From this analysis, it can clearly be seen that the **Gatwick Green SEL allocation is consistent with safeguarding adequate space for car parking associated with a southern wide-spaced runway** (MM Appendix, para 149).

Question 5.19

2.15 See GGL's response to Question 5.17 and 5.18 (para 2.3). Government policy looks to the GAMP 2019 as the core of the robust evidence required to justify the extent of safeguarding under the NPPF para 106. The GAMP 2019 falls short of this. It contains very little information on the southern runway proposal, none of which constitutes the robust evidence needed to justify the extent of safeguarding shown in Plans 20, 21 and 22. The masterplan simply maintains a position of safeguarding for all possible long-term development scenarios. Since the plan process is the place to consider whether safeguarding is justified, the examination must consider the other evidence that is before it as part of that process. Nothing submitted in the Reg 19 representations provides robust evidence to justify safeguarding for a car park over the SEL land.

Question 5.21

2.16 In the context of the evidence in the Statement, there are four key points:

1. There is strong case for a SEL in the short term to address market demand and the wider economic needs of the area; in contrast to the uncertainty and blight being caused if safeguarding remains. Not allocating the SEL would represent a lost opportunity.
2. The issue for the plan-making authority is whether long-term safeguarding for a long-stay surface car park at Gatwick Green, rather than its use for SEL, is justified. This issue can and must be addressed based on the evidence available now. It does not turn on the principle of safeguarding, which the Plan accepts.
3. The assessment by MM is that there is a paucity of evidence to justify the extent safeguarding for surface long-stay car parking shown in the GAMP.
4. The evidence by MM demonstrates that the extent of safeguarding proposed under Policy GAT2 is appropriate.

Question 5.22

- 2.17 The DCBLP retains a practicable area of safeguarding to the south and east of the Airport to accommodate a wide-spaced southern runway and the necessary transport infrastructure to serve the new runway and associated terminal. The Council has taken the right approach based on its assessment of the economic needs of Crawley and the longer term need to safeguard land necessary to ensure a wide-spaced southern runway can come forward.

Question 5.23

- 2.18 There is no inconsistency between the treatment of the SEL and the residual safeguarded land. The plan rightly acknowledges that safeguarding of Gatwick Green for surface parking is unjustified. MM explains why far less parking is needed for a southern runway than asserted by GAL; and why far less land is needed to accommodate a given number of parking spaces than GAL assumes. Thus Gatwick Green can be allocated to meet urgent and critical economic needs, in the confidence that the residual land identified by Policy GAT2 would be adequate to address the parking needs associated with the southern wide-spaced runway, even if they all had to be met on-site.
- 2.19 The question of efficient land use should also be seen in the context of the strong public interest need for a SEL at Gatwick Green, which does not exist in relation to the extent of land identified for long-stay surface parking in the GAMP 2019 on land east of Balcombe Road.

2.20 The robust evidence by MM, Savills and GGL therefore supports the Council's decision.

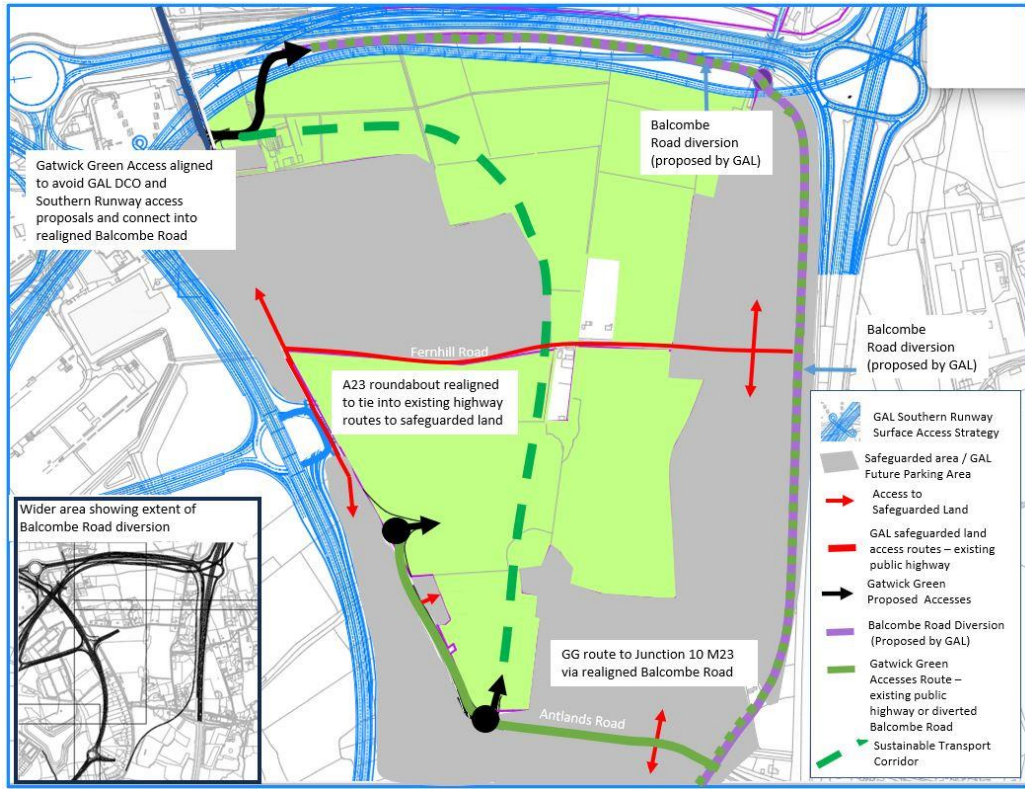
Question 5.24

2.21 The "context" of GAMP 2019 is that it envisages surface parking at this location, but that is an entirely different question to whether it justifies safeguarding the SEL land. Merely showing how land safeguarded under the old development plan might be used in the event of a future southern runway does not justify safeguarding under the new development plan.

2.22 GGL's transport consultants confirm that the Development Framework Plan (DFP) for Gatwick Green (**Appendix 2**) has been designed to accommodate the southern runway proposals. Their review of the DCO access strategy confirms that both Gatwick Green access and DCO A23/M23 improvements can be delivered in parallel. The proposals also allow GAL to access their residual parking in the safeguarded area surrounding Gatwick Green.

2.23 The proposed infrastructure associated with the southern runway project is shown in Figure 1 below. It also shows that the retained safeguarded land can be readily accessed from the proposed SRN network and/or the diverted public highway, Balcombe Road. In addition, a link between M23 J10 and Gatwick Green can be maintained using the new, diverted Balcombe Road and existing public highway retained, not only to give access to Gatwick Green, but also the GAL safeguarded land. It is, therefore, possible to accommodate the DCO infrastructure scheme, longer-term wide-spaced southern runway surface access proposals, and Gatwick Green, during both construction and the operation of the completed network of roads. There is no doubt that any future proposals by GAL can be planned compatibly with the SEL.

Figure 1 – Access arrangements for Gatwick Green taking account of GAL’s proposed southern runway surface access arrangements



2.24 As noted above, GGL has undertaken the necessary work to ensure that both Gatwick Green and the southern wide-spaced runway can be delivered in the context of the safeguarding area identified in the DCBLP.

2.25 Based on the MM evidence, Savills concluded in its representation on Strategic Policy EC4 that *“The continued sterilisation of Gatwick Green for future car parking would, therefore, represent an unnecessary, inefficient and inappropriate use of a key strategic site needed to meet the clear and urgent economic needs of the Borough”*¹⁶.

2.26 See also GGL’s response to questions 5.19 and 5.23 on the question of need for and accommodation of car parking and transport infrastructure for Gatwick.

Question 5.26

2.27 There are no other areas of land within the Borough sufficient to accommodate the SEL allocation.

¹⁶ Rep 055 Gatwick Green Limited Policy GAT2 – paras 1.10 and 2.19

- 2.28 The land safeguarded for the southern wide-spaced runway is location dependent, as the separation from the existing runway is necessary to comply with aerodrome regulations for independent parallel runway operations and expanded facilities that must connect to, and integrate with, existing airfield infrastructure. The criticality of the safeguarded land south of the existing runway and up to the margins of Manor Royal has resulted in site options adjoining Manor Royal (with some very minor exceptions) not being available for development. This finding is reflected in the Council's Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA). GGL agrees with the Council's assessment.
- 2.29 The same principle does not apply to long-stay car parking. This is an ancillary commercial land use, and any assertion that the quantum of parking and the quantum of land sought to be safeguarded for it is critical, needs justifying. Moreover, airport parking is not in any event *location* critical in the way that a runway is. It is an oversimplification to treat the safeguarded land as a single entity, since it includes different land-uses with varying levels of importance to airport expansion. MM has demonstrated how a sensible estimate of surface car parking need can be accommodated on-airport without the need for the SEL land. A southern runway expansion would be compatible with the SEL.
- 2.30 GGL made clear in its representation on Policy EC4, the I&L use on the SEL and the airport use will firmly complement each other¹⁷, to the benefit of both airport and Gatwick Green, the economy and residents of Crawley, and to the wider region.

¹⁷ Rep 055 (2023) Gatwick Green Limited policy EC4 Appendix 4 (Strategic Industrial and Logistics – Location and Complementarity)

Matter 5

List of Appendices:

Appendix 1 - Land Ownership and Allocation Plan

Appendix 2 - Development Framework Plan



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WHERE THE FUTURE WORKS

Appendix 1

Site Plan
Land Ownership and Allocation



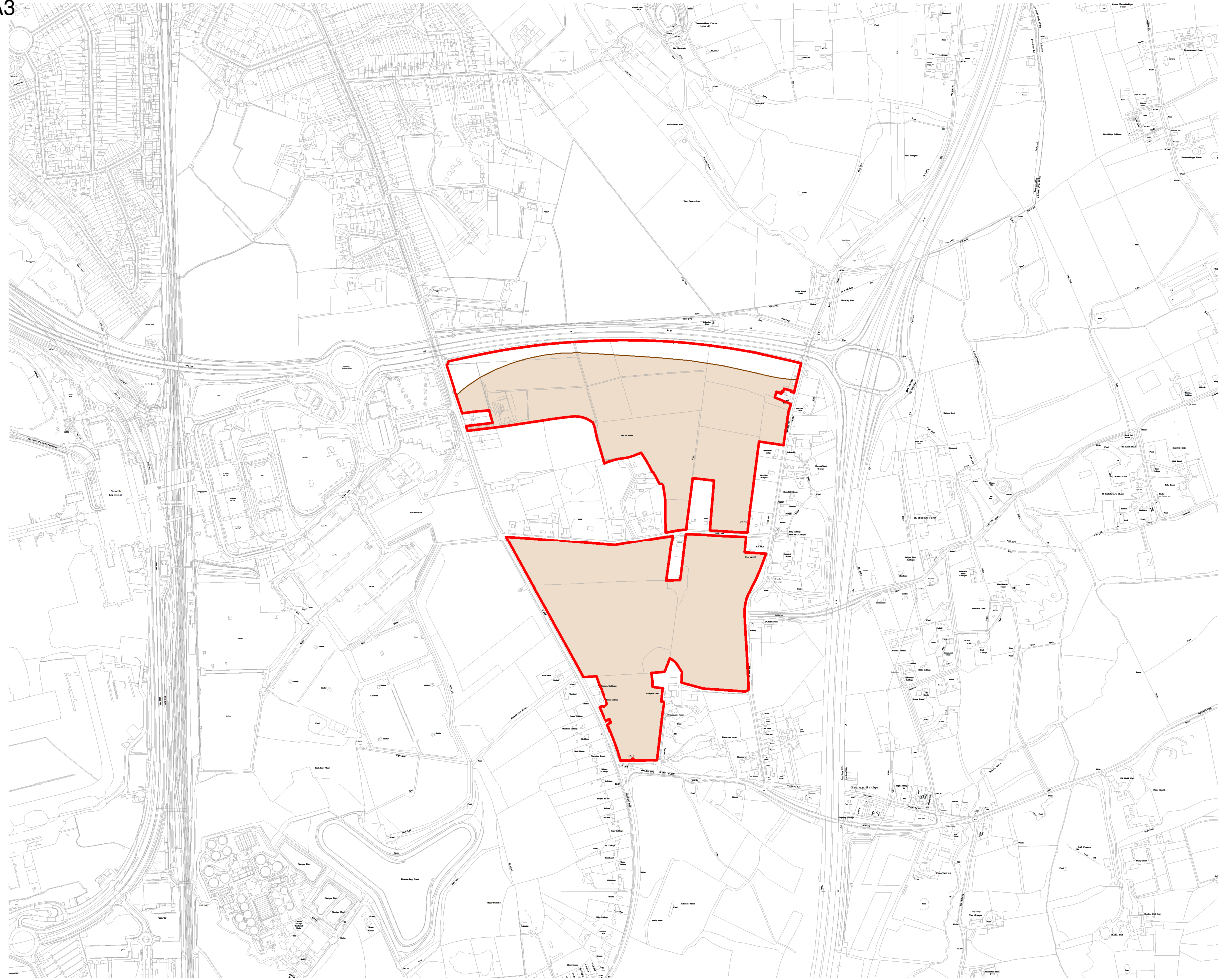
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WHERE THE FUTURE WORKS

Client
Wilky Group

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Index	Revision	Date	Int	Chkd



LEGEND

- GATWICK GREEN LIMITED OWNED LAND
- PROPOSED STRATEGIC EMPLOYMENT LOCATION UNDER POLICIES EC1 AND EC4



APPROXIMATE NORTH

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11/091 / SK-165	-	As indicated	PRELIMINARY
Date	Director	Author	Check
16/06/2023	JA	AH	--

Job
GATWICK GREEN

Drawing
Reg 19 (2023) - Appendix 1 - Site Plan

NOTE: All figures are approximate and have been measured and expressed in a manner as defined by the current edition of the RICS Code of Measuring Practice, unless otherwise stated. Figures relate to the current stage of the project and any development decisions to be made on the basis of this information should include due allowance for the increases and decreases inherent in the design and building processes. Reproduced from Ordnance Survey mapping under Licence Numbers 10002432 & 100018493

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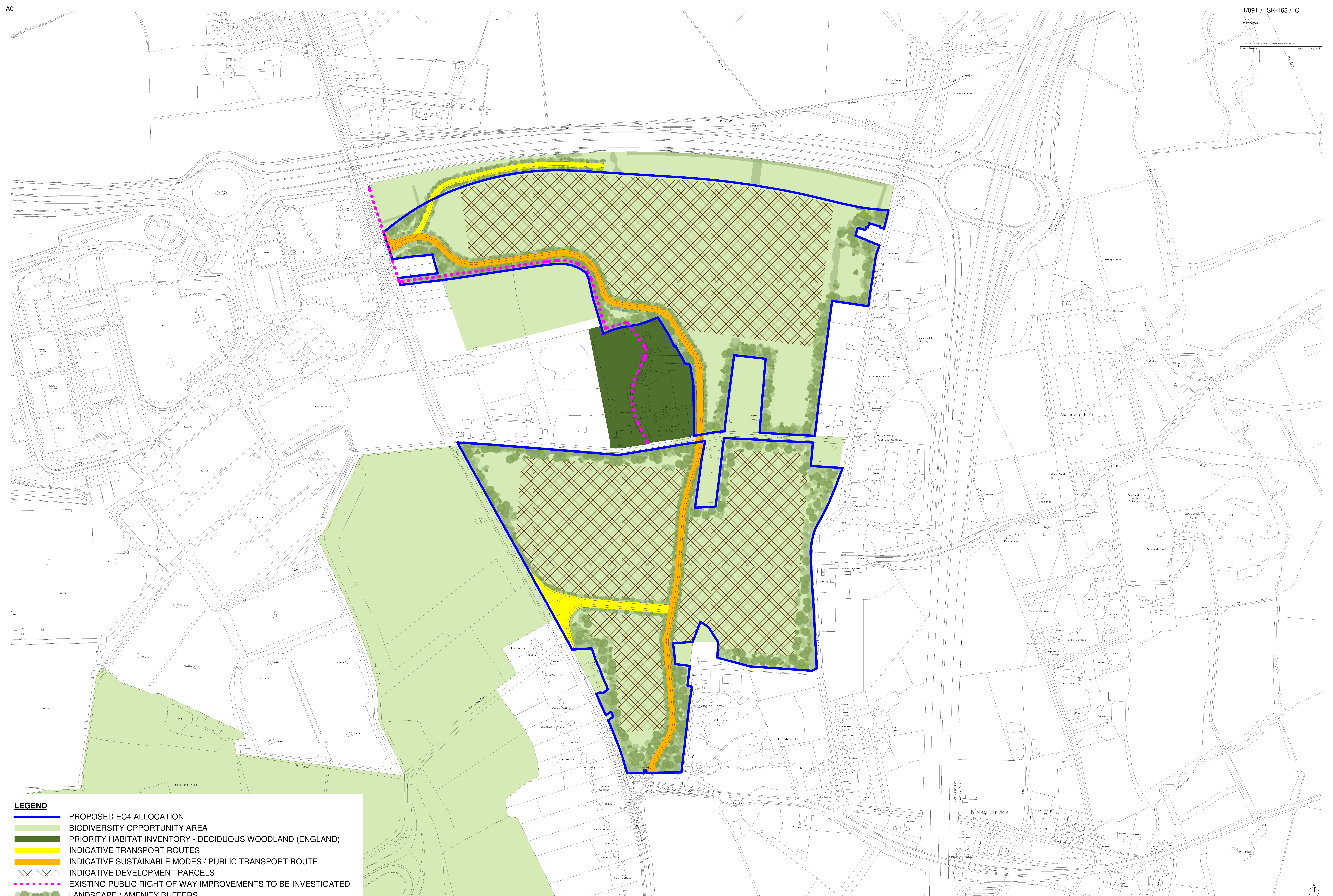
Appendix 2

Development Framework Plan



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WHERE THE FUTURE WORKS



LEGEND

- PROPOSED EC4 ALLOCATION
- BIODIVERSITY OPPORTUNITY AREA
- PRIORITY HABITAT INVENTORY - DECIDUOUS WOODLAND (ENGLAND)
- INDICATIVE TRANSPORT ROUTES
- INDICATIVE SUSTAINABLE MODES / PUBLIC TRANSPORT ROUTE
- INDICATIVE DEVELOPMENT PARCELS
- EXISTING PUBLIC RIGHT OF WAY IMPROVEMENTS TO BE INVESTIGATED
- LANDSCAPE / AMENITY BUFFERS

GATWICK GREEN